

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, OCTOBER 22, 2015

Presiding: Mayor W. Lamont Merrill
Meeting Convened at 6:35 p.m.
Prayer: Bruce Bills
Pledge of Allegiance

Present: Mayor Lamont Merrill; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Bruce Bills, and Matt Garner; Chairman Dave Ogden of the Planning and Zoning Commission; Mayor Richard Woodland of the City of Rexburg; President Richard Horner of the Rexburg Urban Renewal District; Director Terry Butikofer of the Lending and Workforce Development at East-Central Idaho Planning and Development Association; Director Scott Johnson of Madison Economic Development; City Engineer Keith Davidson of the City of Rexburg; and Citizens Joy Ball, Jess Brown, Madisen Harline, Jake and Rich Henry, Harvy Jackman, Lisette Larson, and Shaylene Sorrow. Councilman Bruce Arnell of the Sugar City Council was excused.

PLANNING & ZONING COMMISSION REPORT:

Planning & Zoning Public Hearing Report: Chairman Dave Ogden reported on the public hearing held last Thursday on the application for a special use permit for the proposed Larsen/Pocock fertilizer plant and the Planning and Zoning Commission's recommendations. The commission recommended approval of the special use permit after considering the following criteria (see Attachment 1):

- Consistency with special use provisions in the land use schedule
- Principles and standards in state statutes, the Comprehensive Plan and this code
- Testimony from the public hearing
- Characteristics of the proposed use
- Potential impacts on the neighborhood
- Other considerations – water supply for fire suppression, number of trucks and road usage, ingress and egress routes, and design review on the plant

The council later asked questions of Chairman Ogden to clarify and answer concerns and questions about the type of chemicals to be used and the process of combining chemicals with peat moss.

Old Farm Estates (OFE) Preliminary Plat Application Report: Mr. Ogden reported that there are several items that need to be worked out before the preliminary plat application can formally be filed. The Third South connection into the subdivision and the need for a multiple use zone will take some extra work to detail out all of the issues.

MINUTES: Mayor Merrill asked if there were any corrections to the minutes of the regular meeting held on October 8, 2015. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman King and seconded by Councilman Garner to accept the

minutes after the correction of the reference to Access database was changed to SQL database on page three; motion carried.

CONSIDERATION OF THE URBAN RENEWAL DISTRICT NORTH INTERCHANGE

AGREEMENT: President Richard Horner of the Rexburg Urban Renewal Agency addressed the council. He reviewed with the council several items concerning the North Interchange Area of the urban renewal agency and what he feels it would mean to the city:

- The agency is only a funding mechanism; it cannot change land use.
- Funding for road construction and improvement within the district will be the main focus for \$5 million plus in costs for infrastructure.
- Funds within the district are used for “extraordinary” costs not developer costs.
- Property taxes collected over and above taxes from baseline property values within the district will be put back into the district until the loan for installing infrastructure is paid off.
- Proposed projects within the district that improve property within Sugar City limits may qualify for urban renewal money if criteria are met.
- Participating in the district will further uniformity and consistency in development and better opportunities for developers.

The council discussed at length with representatives of the Urban Renewal Agency and of Rexburg its concerns about signing a 20-year contract, which included:

- Taxes within the district.
- Benefits Sugar City may or may not receive.
- No Sugar City representation on the Agency Board.
- The Urban Renewal District (URD) Plan is unclear and confusing regarding impact areas and jurisdictional rights.

The visiting representatives said that rights and impact areas would be respected and that there are no ulterior motives and agendas. The representatives stressed their desire to work together with Sugar City for the “common good” of all. Councilman King thanked the representatives for their work in creating the North Interchange Urban Renewal Area, North Interchange Urban Renewal Plan and proposed agreements to implement the plan, but he said what is most important are the words of the agreements and the plan, since these words will govern if Sugar City signs the Intergovernmental Agreement between Sugar City and Rexburg. Words of the agreement will remain in force long after current officials are out of office, he noted. He advocated that the agreement recognize Sugar City’s impact area and give Sugar City representation on the Agency Board for matters related to the North Interchange Area. Scott Johnson, director of Madison County Economic Partners, encouraged using the Rural Planning Organization to help plan, organize, and coordinate development between governmental entities. The council decided to meet again before Tuesday to make and give their final decision on the proposed intergovernmental agreement.

RADIO READ METERS REPORT: Mayor Merrill reported that the city has initiated the process to buy radio read meters for new meter installations. The goal is to have all meters read by radio technology rather than by hand. The cost is similar to non-radio read meters and will not add much to the existing budget. After talking with St. Anthony officials about their radio read

meters, Councilman Arnell left a memo with the council recommending the switch. It will cost about \$139 to switch each existing meter over to radio read capability. A grant and/or a gradual replacement schedule will be sought to help offset the expense.

UTILITY SOFTWARE REPORT: No report – still in process of gathering information to make a final recommendation.

WELLS, WATER, & SEWAGE: Councilman King left with the council a summary of city wells, water and sewage for council member review. He requests the council's input at its next regular meeting.

NEEDS LIST REPORT: Councilman King reported that he had six more items to add to the "Needs List" report for review. He will e-mail those additions to the clerk for inclusion in the list before the next regular council meeting.

ANNEXATION TRAINING VIDEO: The council reviewed the first seven minutes or so of the "Annexation" video narrated by Jerry Mason, counsel for the Association of Idaho Cities (AIC) by which it was also produced. The council appreciated the training video on annexation part A guidelines and will review parts B and C in later meetings.

DEPARTMENT REPORTS:

COUNCILMAN KING: No report

COUNCILMAN BILLS:

Annual Christmas Dinner: Mr. Bills reported that the Christmas dinner program will include the Distinguished Citizen Award. Councilman King volunteered to write a tribute for that night. Councilman Bills will check with the activities program on BYU-Idaho campus about getting a Christmas program for the dinner.

COUNCILMAN ARNELL: Excused.

COUNCILMAN GARNER: No report.

MAYOR'S BUSINESS:

Old Farm Estates Update: Jeff and Ryan Lerwill, new owners of the Old Farm Estates subdivision, have applied for and received two new building permits.

Toscana Water Rights Reimbursement Report: Steve Young, owner of the Toscana water rights, reimbursed the city a total of \$3,250 for rights the city had stepped in and paid since 2010 on the property so that the rights would not be lost. The total included 5% interest.

AIC Fall Training Meeting: The mayor encouraged the council to plan on going to the training in November along with the newly elected councilmen. The city will pay for registration and mileage.

Meeting adjourned at 9:15 p.m.

Signed: W. Lamont Merrill
W. Lamont Merrill, Mayor

Attested: Wendy McLaughlin
Wendy McLaughlin, Clerk-Treasurer



Planning & Zoning Commission

To: Brent McFadden
Madison County Planning & Zoning

From: David Ogden, Chairman

Date: October 19, 2015

Subject: Special Use Permit – Pocock/Larsen Application

Dear Brent,

At our regular meeting of the Planning & Zoning Commission last night, we held a Public Meeting on the above mentioned application for a Special Use Permit to construct a light industrial building just to the North of the Sugar City Business Park. We discussed the application after the Public Hearing and approved the application to be presented to both the City of Sugar City and Madison County for approval.

The application, which is attached, contains substantially all of the required information, and was approved subject to the following condition [see Sugar City Code 9-6-4 A (5)]: that the applicant

provide adequate plans, specifications and design sketches, along with the required building permit, so that the appropriate design review and building permit process may proceed with adequate information.

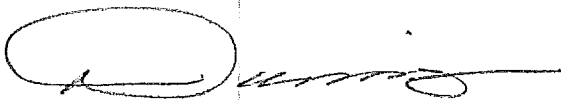
The Commission considered the following criteria in its decision, as applicable.

- Consistency with special use provisions with the Land Use Schedule (See 9-3-6): The zoning for the current property is C2, and the Other Industrial category, which is appropriate for this project, allows for a special use permit.
- Principles and standards in state statutes, the comprehensive plan, and this code: To the best of our knowledge this application meets all of the aforementioned standards.
- Testimony from Public Hearing: Those in attendance from the public were a Boy Scout Troup, the Applicant, one Neighbor, and the City Building Inspector. There were no negative or positive comments on the application.
- Characteristics of the proposed use: The building will be an estimated 50,000 square feet (200 X 250) in size. It will be a warehouse type facility with a single office containing a small bathroom and employee lounge. It will be a metal building, with outside design that should meet design criteria. It will have a loading dock where the product used in the new process is delivered, and where the final product is loaded for transport. There will be an outside landscaping design and sufficient parking.
- Potential impacts on the neighborhood: The process of producing this new type of fertilizer is done without liquids of any kind. The new product is produced by combining already

produced fertilizer with peat moss. The process does produce some small amount of dust, which will be ventilated using the same kind of system used in carpentry and cabinet shops. Any residual dry product not used in the original process will be reused again in the next batch to be produced. None of the product will be disposed of in either the sewage system or the garbage. It is not anticipated to produce any hazardous impact to the neighborhood.

- Other considerations: Since there is only a small bathroom on the premises, the facility will be using an existing well and septic systems. They will also need both power and natural gas for their generation process. The trucks used to both deliver and transport the final product will come off of State Highway 20 and then immediately turning north on Railroad Avenue to enter their property. They anticipate approximately four (4) trucks per day.

Based on this review, and the contents of the application, the Commission recommends approval of the Special Use Permit.
Thanks for your consideration.

A handwritten signature in black ink, appearing to read "David Ogden", is written over a large, empty oval shape that serves as a placeholder for a stamp or seal.

David Ogden, Chairman